

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 17, 1998

DIVISION ONE

Court convened at 9:00 A.M.

Present: Ortega, Acting P.J., Vogel (Miriam A.), J., Masterson, J. and S. Beaux, Deputy Clerk.

Each of the following:

B111548 People v. Sanchez, Anthony
B114271 People v. Morales
B115253 People v. Mittwer
B115611 People v. Alvarez
B116542 People v. Sanchez, Damian
B117005 People v. Chavez
B118028 Dept of Children Services v. Shargarace A.
B118160 People v. Carranza
B118653 People v. Enrique V.
B119574 Dept of Children Services v. Plutarco U.
B119743 People v. Castillo
B119888 People v. Rich
B120744 People v. Esquivias
B121718 People v. Zeghtchanian
B123030 Farnhan v. SCLA

Argument waived, cause submitted.

B116003 The People
 v.
 McGinnis

Merits:

Argued by Mark Ankorn for appellant and by Sunnie S. Lee, Deputy Attorney General for respondent. Counsel waive the presence of Presiding Justice Spencer. Cause submitted.

DIVISION ONE (Continued)

B124910 Kelly F.
v.
S.C.L.A.
(Dept of Children & Family Services, r.p.i.)

Appearances:

Lawrence Fluharty appears for petitioner and no appearance for respondent.
Cause continued to December calendar.

B120396 Spekat
v.
City of Glendora

Merits:

Argued by James G. Faust for appellant and no appearance for respondent.
Appellant waive the presence of Presiding Justice Spencer. Cause submitted.

B120300 The People
v.
Smith

Merits:

Argued by Susan E. Nash for appellant and by Rama R. Maline, deputy Attorney General for respondent. Counsel waive the presence of Presiding Justice Spencer. Cause submitted.

B117794 Tagayun
v.
University of Southern California, et al.

Merits:

Argued by Roy B. Pipkin for appellant and by Stephen L. Berry for respondent. Counsel waive the presence of Presiding Justice Spencer. Cause submitted.

Dunn, J.(assigned) assumes the bench.

DIVISION ONE (Continued)

B114012 Taxe, et al.
 v.
 Union Bank of California

Merits:
Argued by Gregory Grantham for appellants and by Charles J. Schufreider
for respondent. Cause submitted.

B110850 Spellman
 v.
 Los Angeles Federal Credit Union

Merits:
Argued by Melanie E. Lomax for appellant and by Dianne B. Smith for
respondent. Cause submitted.

B108568 The People
 v.
 American Surety Company

Merits:
Argued by Kenneth F. Weston for appellant and by Robert E. Raqland for
respondent waives argument. Counsel waive the presence of Presiding
Justice Spencer. Cause submitted.

B119125 The People
 v.
 Redic

Merits:
Argued by Dave Campbell for appellant and by Alex Ricciardulli for
respondent. Counsel waive the presence of Presiding Justice Spencer.
Cause submitted.

DIVISION ONE (Continued)

B122368 The People
 v.
 Gilberto Q.

Merits:

Argued by Edward J. Haggerty for appellant and by Analee J. Nations for respondent. Counsel waive the presence of Presiding Justice Spencer. Cause submitted.

B121570 Turner
 v.
 S.C.L.A.
 Kaiser Foundation Health Plan, Inc., et al.

Merits:

for Argued by Nathaniel J. Friedman for petitioner and by Lawrence A. Cox real party in interest. Counsel waive the presence of Presiding Justice Spencer. Cause submitted.

B113259 Love
 v.
 Wilson

Merits:

Argued by Philip H. Stillman for appellant and by John H. Brimsley for respondent Wilson and Harold J. Tomin for respondent Billet. Counsel waive the presence of Presiding Justice Spencer. Cause submitted.

Dunn, J. (assigned) leaves the bench.

B121220 Gavin
 v.
 PacifiCare of California, Inc.

Merits:

Argued by Anthony Bohan for appellant and by Keith A. Weaver for respondent. Counsel waive the presence of Presiding Justice Spencer. Cause submitted.

DIVISION ONE (Continued)

B117858 Kahn
 v.
 Nicholson

Merits:

Argued by Barry P. Kin for appellant and by Ronald G. Parker for respondent. Counsel waive the presence of Presiding Justice Spencer. Cause submitted.

B124951 Lavretsky
 v.
 S.C.L.A.
 Pavlovsky, et al.

Merits:

Argued by Tanya K. Linton for real party in interest and by Tracy E. Augustine for petitioner. Counsel waive the presence of Presiding Justice Spencer. Real party in interest to submit documents by November 18, 1998. Submission deferred.

Court adjourned.

DIVISION ONE (Continued)

B123030 Donald W. Farnham (Not for Publication)

v.

Superior Court, Los Angeles County
(Sequoia Holdings, Inc., et al., r.p.i.)

Let a peremptory writ of mandate issue commanding the trial court (1) to vacate its order denying Farnham's motion for a determination that his settlement with Romanski's estate was made in good faith (§ 877.6) and for entry of a judgment on that settlement (§ 664.6); (2) to enter a new order granting Farnham's motions and (A) determining that his settlement with Romanski's estate was, in fact, made in good faith (§ 877.6), and (B) entering a judgment in accordance with the terms of Farnham's stipulation for judgment with Romanski's estate (§ 664.6), to wit: that Farnham shall have judgment against the Estate of Francis C. Romanski in the sum of \$2 million on Farnham's defamation cause of action, and that such judgment shall not be executed against the property of the Estate of Francis C. Romanski, or against the property of M. Romanski, or any other beneficiary or heir at law of Francis C. Romanski. Farnham is awarded his costs of these writ proceedings, payable by the defendants other than the Estate of Romanski.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
 Masterson, J.

B119574 Los Angeles County, D.C.S. (Not for Publication)

v.

Plutarco U.

The orders are affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
 Masterson, J.

DIVISION THREE

B111665 Pacific Beach Development
Limited Partnership (Not for Publication)

V. The City of Santa Monica

The judgment is affirmed. City shall recover costs on appeal.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B112640 People (Not for Publication)
v.
Bradley

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

B118150 People (Not for Publication)

V.
Madatyan

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FOUR (Continued)

B114894 People
 v.
 Thomas

Filed order denying petition for rehearing.

DIVISION FIVE

B120829 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Thomas O. et al
 In re Natasha O. et al., minors

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.